

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DUILIO ANGELINI
Plaintiff

v.

U.S. FACILITIES, INC.
Defendant

CIVIL ACTION
NO. 17-4133

ORDER

AND NOW, this 27th day of June 2018, upon consideration of Defendant's *motion to dismiss the first amended complaint*, [ECF 6], Plaintiff's opposition thereto, [ECF 11], and the allegations contained in the amended complaint, [ECF 4], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion, Defendant's motion is **GRANTED**, in part, as follows:

- (1) the motion to dismiss is **GRANTED** with respect to Plaintiff's race discrimination claims at Counts I, II, IV, and V; Plaintiff's race, religion, and ethnicity/ancestry discrimination claims at Counts IV and V; and Plaintiff's common law claim for unlawful termination/discharge at Count VII;
- (2) the motion to dismiss is **DENIED** with respect to Plaintiff's age discrimination claims at Counts III, IV, and V, and Plaintiff's Whistleblower claim at Count VII; and,
- (3) Plaintiff's claims for hostile work environment and retaliation are deemed withdrawn.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court